

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Cantalupo Homes & Development Inc v G P Enterprises Inc**
Docket No. **275898**
L.C. No. **2001-033851-CH**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),
orders:

The claim of appeal is DISMISSED for lack of jurisdiction. In March 2005, the Oakland Circuit Court granted summary disposition in defendants' favor, and appellant claimed an appeal from it. This Court affirmed this order in two separate opinions. *Cantalupo Homes & Development Inc v G P Enterprises Inc*, Unpublished opinion per curiam of the Court of Appeals, issued September 1, 2005 (Docket No. 261327), and *Cantalupo Homes & Development Inc v G P Enterprises Inc*, Unpublished opinion per curiam of the Court of Appeals, issued July 6, 2006 (Docket No. 261327). Since there can only be one final order by definition in the case before this Court, the January 9, 2007 order denying appellant's motion for a judgment of foreclosure on improvements is a postjudgment order that is not appealable as a matter of right to this Court. MCR 7.202(6)(a)(i) and 7.203(A)(1). If appellant still wants to challenge the January 2007 order, it must file a delayed application for leave to appeal. MCR 7.203(B)(1) and 7.205(F)(1).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

FEB 21 2007

Date

Sandra Schultz Mengel
Chief Clerk